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Date: February 13, 2006

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Name: Examiner Nancy T. Vogel, Ph.D., Group Art Unit 1636

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Pages: 4 (including this cover page)

Subject: Attorney File No. FC-8-C3

U.S. Patent Application Serial No: 10/621,901

From: Theresa A. Brown, Esq. (970-493-7272 - Ext 4154)

Please find attached a Response to Notice of Non-Compliant Amendment.

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ATTN: MAIL STOP AMENDMENT  
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

) Group Art Unit: 1636

Brandt, Kevin S.  
Gaines, Patrick J.  
Stinchcomb, Dan T.  
Wisnewski, Nancy

) Examiner: Vogel, Nancy S.

RESPONSE TO NOTICE OF  
NON-COMPLIANT AMENDMENT

Serial No.: 10/621,901

)  
CERTIFICATE OF FACSIMILE TRANSMISSION  
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
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NANCY S. VOGEL, PH.D., FAX NO. 571-273 8300,  
ADDRESSED TO MAIL STOP AMENDMENT,  
COMMISSIONER FOR PATENTS, P.O. BOX 1450,  
ALEXANDRIA, VA 22313-1450, ON THIS 13TH DAY OF  
FEBRUARY 2006.

Filed: July 16, 2003

)  
HESKA CORPORATION  
By: *Susan Gordon*  
Susan Gordon

Atty. File No.: PC-8-C3

For: "PLGA HEAD, NERVE CORD, HINDGUT  
AND MALPIGHIAN TUBULE NUCLEIC  
ACID MOLECULES, PROTEINS AND  
USES THEREOF"

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment mailed from the U.S. Patent and Trademark Office on January 25, 2006 in response to a Non-Final Office Action, Applicants submit herewith the corrected section of the non-compliant amendment filed on December 16, 2005. Since this response is to correct a non-final amendment, Applicants believe the due date for filing this response is one month from the mailing date of the Notice, i.e., February 25, 2006. Applicants accordingly submit this response is timely filed.